

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CHRISTOPHER WALKER, an individual, No. 2:23-cv-00163
Plaintiff,
NOTICE OF REMOVAL

DANIEL L. BARNETT and SHERRI MILLER BARNETT, and the marital community comprised thereof; AVIARA CAPITAL PARTNERS, LLC, a California limited liability company, HEALTH PROFESSIONALS ALLIANCE, a Delaware Corporation; BE HOLDINGS, LLC, an Oregon limited liability company; BE CAPITAL PARTNERS LLC, an Oregon limited liability company,

Defendants.

Defendants Daniel Barnett, Sherri Miller Barnett, BE Holdings, LLC, BE Capital Partners LLC, and Aviara Capital Partners, LLC (“Certain Defendants”) file this Notice of Removal of this action from the King County Superior Court, Washington, where it is now pending, to the United States District Court for the Western District of Washington. This Notice of Removal is filed pursuant to 28 U.S.C. §§ 1441 and 1446.

NOTICE OF REMOVAL

MARKOWITZ HERBOLD PC
1455 SW BROADWAY, SUITE 1900
PORTLAND, OREGON 97201
(503) 295-3085

1. The Summons and Complaint are dated January 3, 2023, and captioned for the
2 King County Superior Court, Washington, entitled *Christopher Walker, an individual, v.*
3 *Daniel L. Barnett, et al.*, (the “State Court Action”).

4. Certain Defendants were served with the Summons and Complaint on January
5, 2023.

6. This Notice is being filed with this Court within thirty (30) days after Certain
7 Defendants were served with a copy of plaintiff’s initial pleading and within one year of the
8 commencement of the action.

9. This Court has original jurisdiction over this case pursuant to 28 U.S.C. §
10 1332(a) for the following reasons:

- 11 (a) The amount in controversy in this case exceeds \$75,000, exclusive of
12 interest and costs.
- 13 (b) Plaintiff is a resident of the state of Nevada.
- 14 (c) Defendants Daniel Barnett and Sherri Barnett are residents of the state of
15 Florida.
- 16 (d) Defendants BE Holdings LLC and BE Capital Partners LLC are Oregon
17 limited liability companies with their principal place of business in the state
18 of Oregon. Neither entity has members who are residents of the state of
19 Washington.
- 20 (e) Defendant Aviara Capital Partners LLC is an inactive California limited
21 liability company that does not conduct business operations in any state.
22 The entity does not have any members who are residents of the state of
23 Washington.
- 24 (f) Defendant Health Professionals Alliance, Inc. is a Delaware corporation
25 with its principal place of business in the state of Oregon.

26. All defendants consent to removal.

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6. This Notice is being served on all adverse parties, and a copy is being filed in the state court pursuant to 28 U.S.C. § 1446(d).

7. Attached hereto, as Exhibit 1, are copies of the Summons and Complaint served upon Certain Defendants in the State Court Action.

WHEREFORE, Certain Defendants request that the above-described action be removed to this Court.

DATED this 2nd day of February, 2023.

MARKOWITZ HERBOLD PC

By: *s/ Chad M. Colton*

Chad M. Colton, WSBA #49412
(503) 295-3085

Of Attorneys for Defendants Daniel Barnett,
Sherri Miller Barnett, BE Holdings, LLC, BE
Capital Partners LLC, and Aviara Capital
Partners LLC

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ATTORNEY CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2023, I have made service of the foregoing **NOTICE OF REMOVAL** on the party listed below in the manner indicated:

H. Troy Romero
Romero Park PS
155 108th Avenue NE, Suite 202
Bellevue, WA 98004
Attorney for Plaintiff

<input type="checkbox"/>	U.S. Mail
<input type="checkbox"/>	Facsimile
<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	Overnight Courier
<input checked="" type="checkbox"/>	Email: tromero@romeropark.com
<input checked="" type="checkbox"/>	Electronically via USDC CM/ECF system

DATED this 2nd day of February, 2023.

s/ Chad M. Colton

Chad M. Colton, WSBA #49412
Attorney for Defendants Daniel Barnett, Sherri
Miller Barnett, BE Holdings, LLC, and BE
Capital Partners LLC, and Aviara Capital
Partners, LLC